

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 406**

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**Introduced by Assembly Member Yamada**

February 23, 2009

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An act to add Article 5.3 (commencing with Section 44540) to Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code, relating to school personnel.

LEGISLATIVE COUNSEL'S DIGEST

AB 406, as amended, Yamada. School personnel: Classified School Employee Training Program.

Existing law establishes the Administrator Training Program and the Chief Business Officer Training Program under the administration of the Superintendent of Public Instruction. Under these programs, the Superintendent awards incentive funding for the prescribed training to school districts and county offices of education meeting specified program criteria.

This bill would establish the Classified School Employee Training Program. The bill would provide for the program to be administered by the Superintendent, with the approval of the State Board of Education. Under the Classified School Employee Training Program, the Superintendent would award incentive funding to eligible school districts, county offices of education, charter schools, and community college districts for prescribed instruction and training for classified school employees. *These provisions would not become operative unless and until the Superintendent certifies that the funding for this bill in the fiscal year in which the program commences exceeds the amount appropriated for the Administrator Training Program in the Budget*

*Act of 2009.* The bill would require the State Department of Education, after the program has been ~~implemented~~ *operative* for ~~5~~ *no more than* 3 years, to develop, subject to review and approval by the state board, a ~~final~~ report for submission to the Legislature regarding the program.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 5.3 (commencing with Section 44540) is  
2 added to Chapter 3 of Part 25 of Division 3 of Title 2 of the  
3 Education Code, to read:

4  
5 Article 5.3. Classified School Employee Training Program  
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7 44540. (a) This article shall be known and may be cited as the  
8 Classified School Employee Training Program.

9 (b) The Classified School Employee Training Program is hereby  
10 established. The Superintendent, with the approval of the State  
11 Board of Education, shall administer the program.

12 (c) For purposes of this article, the following terms have the  
13 following meanings:

14 (1) "Classified school employee" means a person employed on  
15 a full-time or a part-time basis as a classified school employee at  
16 a community college, or a public school or a state special school  
17 in which kindergarten or any of grades 1 to 12, inclusive, are  
18 taught.

19 (2) "Hard-to-staff school" means a school in which teachers  
20 holding emergency permits or credential waivers make up 20  
21 percent or more of the teaching staff.

22 (3) "High-priority school" means a school in the bottom half of  
23 all schools based on the Academic Performance Index rankings  
24 established pursuant to subdivision (a) of Section 52056.

25 (4) "Local educational agency" means a school district, a county  
26 office of education, a charter school, or a community college  
27 district.

28 44541. (a) It is the intent of the Legislature that, from funds  
29 appropriated for the purpose of this article, the Superintendent  
30 shall award incentive funding to provide classified school

1 employees with instruction and training in areas that include, but  
2 are not necessarily limited to, all of the following:

3 (1) Curriculum frameworks and instructional materials aligned  
4 to the state academic standards.

5 (2) The management of state and local pupil data, assessment  
6 instruments, and specific ways to use assessment data from the  
7 Standardized Testing and Reporting (STAR) Program, including  
8 analyzing achievement of specific subgroups, including English  
9 language learners and individuals with exceptional needs.

10 (3) The management strategies and best practices regarding the  
11 use of educational technology to improve pupil performance.

12 (4) Pupil and campus safety: training and staff development in  
13 the latest and best practices for pupil safety and campus safety.

14 (5) School facilities and maintenance: training and staff  
15 development in best practices and changing technology for school  
16 facilities. School districts that receive grants for new facility  
17 technology shall set aside a portion of the funding for staff  
18 development and training to classified school employees to  
19 maintain the equipment or system.

20 (6) Chemical safety: training and staff development on pesticides  
21 and other possibly toxic substances to that they may safely be used  
22 on campus.

23 (7) School transportation and bus safety: training and staff  
24 development on the best practices and standards for pupil  
25 transportation.

26 (8) Parent involvement: training and staff development to  
27 enhance the ability of a school to increase parent involvement at  
28 schoolsites.

29 (9) Food service: training and staff development in food  
30 preparation to provide nutritional meals and food management.

31 (10) Health and nursing standards: training and staff  
32 development on the latest and best practices for pupil health care  
33 needs.

34 (11) At-risk pupils: training and staff development in methods  
35 for providing timely and appropriate interventions and assistance  
36 to at-risk pupils and their parents.

37 (12) Special education: training and staff development to stay  
38 current with the latest and best practices to meet the needs of  
39 special education pupils, and to comply with any new state and  
40 federal mandates.

(13) Academic standards: training for paraprofessionals to assist teachers and administrators to improve the academic achievement of pupils that shall include, but not necessarily be limited to, capacity building in all of the following areas:

(A) Pedagogies of learning.

(B) Motivating pupil learning.

(C) Instructional strategies for teaching essential content in ways that address the varied learning needs of pupils, with special emphasis on English language learners and individuals with exceptional needs.

(D) Collaboration.

(E) Conflict resolution, including reduction of racial tensions.

(F) Respect for diversity.

(G) Parent involvement.

(H) Staff relations.

(I) Creation of an effective, safe, and inclusive learning environment.

(J) A single plan for pupil achievement.

(b) All local educational agencies shall be eligible to apply for funds appropriated for the purposes of this article.

~~(e) The Superintendent shall identify existing state, federal, or local funds that can be used for classified school employees, and make a recommendation to local educational agencies on the appropriate set-aside of funds intended for staff development for classified staff with appropriate guidelines that are consistent with federal requirements.~~

*(c) This article shall not become operative unless and until the Superintendent certifies that the funding for this article in the fiscal year in which the program commences exceeds the amount appropriated for the Administrator Training Program established by Article 4.6 (commencing with Section 44510) in the Budget Act of 2009.*

44542. (a) To receive incentive funding for the purposes of this article, a local educational agency, individually or in partnership with one or more institutions of higher education or other educational entities, shall submit a program proposal to the Superintendent. The program proposal shall contain an expenditure plan, and shall specify how the training program for which funding is being requested addresses the program goals specified in paragraphs (1) to (13), inclusive, of subdivision (a) of Section

1 44541 and how the local educational agency plans to continue  
2 ongoing training to classified school employees.

3 (b) The Superintendent shall approve or disapprove a local  
4 educational agency's plan for training of classified school  
5 employees serving kindergarten and grades 1 to 12, inclusive, with  
6 respect to school districts and county offices of education.

7 (c) The Chancellor of the California Community Colleges shall  
8 approve or disapprove a community college district plan for  
9 training of classified school employees serving community  
10 colleges, and transmit approved community college district plans  
11 to the Superintendent for his or her consideration for funding.

12 (d) *It is the intent of the Legislature that a local educational*  
13 *agency give highest priority to training classified employees*  
14 *assigned to, and practicing in, high-priority or hard-to-staff*  
15 *schools.*

16 44543. ~~After five years of implementation~~ *No later than three*  
17 *years after this article becomes operative pursuant to subdivision*  
18 *(c) of Section 44541, the department shall develop, subject to*  
19 *review and approval by the state board, a—final* report for  
20 submission to the Legislature regarding the program established  
21 pursuant to this article. The ~~final~~ report shall, at a minimum, detail  
22 all of the following:

23 (a) The number of classified school employees who received  
24 training offered pursuant to this article.

25 (b) The entities that received funds for the purpose of offering  
26 training pursuant to this article and the number of classified school  
27 employees that each entity has trained.

28 (c) Information detailing the effectiveness of the program  
29 established pursuant to this article. This information, at a minimum,  
30 shall incorporate survey data concerning program effectiveness  
31 that has been gathered from program participants.

32 (d) Information detailing the retention rate of classified school  
33 employees who participated in training offered pursuant to this  
34 article.

35 (e) A comparison of the Academic Performance Index scores  
36 for elementary and secondary schools within participating local  
37 educational agencies for the year before the school's classified  
38 school employees receive training pursuant to this article and for  
39 the second year after the classified school employees complete the  
40 training provided pursuant to this article.

- 1 (f) Relevant data required to be included in the school
- 2 accountability report card pursuant to Section 33126.

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